# INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

| Application Number     |           | 10777033       |  |
|------------------------|-----------|----------------|--|
| Filing Date            |           | 2004-02-11     |  |
| First Named Inventor   | Tonkovich |                |  |
| Art Unit               |           | 1793           |  |
| Examiner Name          | Paul /    | A. Wartalowicz |  |
| Attorney Docket Number |           | VELOP0115US    |  |

#### CERTIFICATION STATEMENT

| Please see 37 | CFR 1.97 | and 1.9 | to make the | appropriate | selection(s): |
|---------------|----------|---------|-------------|-------------|---------------|
|---------------|----------|---------|-------------|-------------|---------------|

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patient office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFF 1.37(e)(1).

## OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any involved designated in 37 CFR 156(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 157(s)(s).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- \_ ...

### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| Signature  | /Neil A. DuChez/ | Date (YYYY-MM-DD)   | 2010-07-21 |  |  |
|------------|------------------|---------------------|------------|--|--|
| Name/Print | Neil A. DuChez   | Registration Number | 26725      |  |  |

This collection of information is required by 3T CFR 1.87 and 1.98. The information is required to obtain or retain a benefit by the public which is to file fand by the USPTO to process) an application. Confidentially is governed by \$5 U.S. C. 12 and 3T CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradenary Officer, U.S. perpartment of Commence, P. 0. Box 1450, Alexandria, V.3.2311-4450. DN OTS END FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, V.3.2313-1450.

## Privacy Act Statement

The Privacy Act of 1974 (P. L. 95.79) requires that you be given certain information in connection with your submission of the attached form reliable to a patient application or patient. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) famishing of the information solicide to inculturally, and (3) the principal purpuse for which the information is used by the U.S. Patient and Trademan Kolline is to process and/or oxomine your submission related to a patient application or patient. If you do not furnish the requested process and/or oxomine your submission related to a patient application or patient. If you do not furnish the requested required to the process of the private of the process of the private of the process of the process

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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  may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
  to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or hisher designee, during an inspection of records conducted by GSAs a part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 4d U.S.C. 2504 and 2506. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CPR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by whiter a published application, an application open to public inspections or a rissued patent.
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